

NARCOTICS-FUELED VIOLENCE IN MEXICO: CRISIS FOR THE UNITED STATES?

BY

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NARCOTICS-FUELED VIOLENCE IN MEXICO: CRISIS FOR THE UNITED STATES?

by

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ABSTRACT

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This Strategy Research Project reviews some of the challenges associated with the complex problem of narcotics and illegal trade in relation to current policy of the United States. The Merida Initiative is an on-going program that provides support to the Mexican government. There are several areas of risk and concern with the initiative, to include funding and implementation. Cooperation between the United States and Mexico will be critical to reducing the violence and disrupting the illegal trade.

NARCOTICS-FUELED VIOLENCE IN MEXICO: CRISIS FOR THE UNITED STATES?

Narcotics-related violence in Mexico has been in the headlines for several years. President Obama, in his National Security Strategy dated May 2010, stated “Stability and security in Mexico are indispensable to building a strong economic partnership, fighting the illicit drug and arms trade, and promoting sound immigration policy.”¹ Violence in Mexico, especially in border cities such as Ciudad de Juarez, has climbed dramatically in the last five years.² The violence has yet to spill over into the United States, at least at a high volume. Will an escalation of the crisis in Mexico create a crisis for the United States? How can this complex problem be framed and what is the United States doing with respect to foreign policy with Mexico? Is it aggressive enough? Will it be enough to stem the violence?

First, it will be helpful to describe the violence in Mexico. Many in Mexico refer to the violence as “The insecurity.”³ The Mexican government has been unable to provide security for its people on a localized, sometimes regionalized scale. This loss of control places the people in those areas under a condition of physical insecurity due to the threat or risk of violence and can undermine the people's confidence in the government and ultimately its legitimacy. Security of citizens is a primary product of a state. If a state's ability to provide security to its citizens is impinged, the state will lose a portion of its legitimacy. When the legitimacy of government is decreased, social support structures begin to collapse and the population loses recourse to normal government structures. The Drug Trafficking Organizations (DTOs) begin to replace the normal government structures and they force the population to regard them as the controlling authority.

The violence in Mexico is neither an insurgency nor terrorism. Insurgency is defined as “an organized movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict.”⁴ While the DTOs and traffickers are subverting the government and are engaged in armed conflict, their goal is not the overthrow of the constituted government. Their goal is to reduce the Mexican’s government’s ability to interdict their trade. While the violence may have some insurgency-like qualities, such as the targeting of government officials by armed conflict, the true essence of the violence is not an insurgency.

Terrorism “is often motivated by religious, political or other ideological beliefs and committed in the pursuit of goals that are usually political.”⁵ The goals of the traffickers have little to do with religious beliefs and even less to do with politics. The DTOs’ primary motivation is money; which is garnered by their illegal activities. Some of the activities of the DTOs resemble terrorist activity, such as hanging bodies in the street, decapitations, etc.⁶ These are terrorist tactics, activities that are meant to create a barrier to rival organizations and dissuade the population from providing information to the government. There are few religious, political or ideological goals involved with the violence.

Dr. Paul Kan surmises that the DTOs are neither terrorist nor insurgent, but are engaged in a “...war waged by violent entrepreneurs who seek to prevail over one another and the state in a hypercompetitive illegal market in order to control it or a particular portion of it.”⁷ In this hypercompetitive illegal market, the instigators of the violence do so to suppress the government, competitors, media and citizens who obstruct or otherwise interfere with their trade. Dr Kan also describes the violence as

“high intensity crime.”⁸ If we look at the situation in Mexico through the lens of high intensity crime, we can more accurately predict the future path of violence, judge the suitability of current efforts to suppress the violence, and identify additional resources that could be used to fight the crime.

The Future Direction of Violence

There are seven major recognized cartels in Mexico which operate on a highly geographic basis. The DTOs responsible for the majority of violence in Mexico are the Tijuana, Gulf, Sinaloa, Beltran-Leyva Organization, Juarez, Los Zetas and La Familia.⁹ Violence occurs at all levels within the DTOs, between DTOs and other DTOs, between DTOs and the local populace, between DTOs and the violence varies between the various DTOs and the government organizations. Caught in the middle of this violence is the population. The violence executed by each of these DTOs varies over time. The DTOs maintain alliances of convenience based on business goals. The cost-benefit analysis in a hyper-competitive market is constantly being reevaluated and can be very fragile in an environment of illegal trade. Alliances shift rapidly in this environment, making traditional law enforcement methods less effective than in a stable environment. Information about the DTO's operations must be acted on quickly or the information may turn useless in a short period of time.

Each one of these DTOs controls a certain piece of geography or trade route and will react to any trespassers into its territory. Violence will likely continue at the intersections of DTOs' influence. Battles will occur over desire for expansion of geographic control, especially near common distribution routes. Border cities, key in distribution of product to America, will also continue to see high rates of violence. Violence in these areas will likely be directed against government officials trying to

reduce the flow of drugs and also include “red on red” or DTO against DTO violence for control of distribution and storage network systems.

The DTOs have expanded their reach over most of Mexico. Their influence has become deeply rooted through the use of clandestine or “dark” networks and corruption of government officials. The La Familia DTO has branched out its operations from primarily drug trafficking to include “extortion, kidnapping, human smuggling, loan sharking and small-scale sales of marijuana and cocaine.”¹⁰ This expansion demonstrates some of the characteristics of the hyper-competitive illegal market and the desire of the DTOs to control profit-generating illegal activities of many types. The high-intensity crime mirrors the activity of Mafia violence in Italy of the early 1990s.¹¹

In an economic sense, the market situation right now in Mexico can be termed as an oligopoly.¹² In an oligopoly, there are relatively few firms that control the flow, pricing, etc of the product. Also, there are heavy barriers to entry into the market.¹³ The barriers to entry in Mexico include extreme violence against those who negatively impact the DTOs’ flow of money and illicit substances. The economic environment in Colombia, by contrast, more closely resembled a monopoly, with the FARC and its branches controlling most aspects of the market. At the height of the violence between the FARC and the government of Colombia, direct conflict deaths averaged 2,200 per year and included very few civilians.¹⁴ By contrast, deaths in Mexico are approaching 7,000 per year and that figure includes both DTO members as well as civilians.¹⁵

One worry is that DTOs will assist terrorists with entry into the U.S. but, as of yet, there is no evidence that the DTOs are dealing with foreign terrorists.¹⁶ The DTOs do not want to bring extra scrutiny to their operations near the border. Most of them know

that terrorist activity will bring a high number of law enforcement personnel to the area. This would disrupt their normal flow of contraband substances. However, since the DTOs value money, however, it may be only a matter of time before there is a linkage between terrorist organizations and the DTOs. Crime and terrorism have been known to overlap "...through short- and long term service-for-hire activities between groups."¹⁷ DTOs may be swayed by terrorist groups that would be willing to trade drugs or money for access to the border area and assistance with crossing into the U.S.

The corruption of government officials provides another wildcard to the environment. The DTOs' infiltration of government workers including those in the judicial and police systems has created what Mexican President Felipe Calderon terms "zones of impunity."¹⁸ These zones break down the social structures and the ability of citizens to fight back against the DTOs. The flow of money into Mexico in exchange for drugs flowing north is reaching upward of \$20 billion per year.¹⁹ Some of that money will likely come back to the US side of the border to ensure safe travels for the product. Corruption at this time not a widespread issue on the US side of the border as it is on the Mexican side. However, as law enforcement pressure increases, attempts to corrupt local officials may increase.

Impacts of the Continuation of Violence

Mexico is a member of the G-20. The G-20 member nations are responsible for eighty percent of world trade and two-thirds of the world's population.²⁰ If the violence consumes the country or causes greater instability in the government, there will be an economic cost associated with the instability. In 2009, nearly 12% of all U.S. trade was with Mexico.²¹ Loss of even part of that 12% due to an unstable situation in Mexico would cause a corresponding economic impact in the U.S.

The 2010 National Security Strategy lists four enduring national interests. They are security, prosperity, values and international order.²² The violence in Mexico perpetrated by purveyors of the drug trade cuts across all four enduring national interests. Security of Mexico as an ally is negatively impacted by violence against the people and government. Prosperity is being hindered in Mexico by the DTO bosses and in the United States by the flow of drugs. Respect for universal values is being subjugated daily as the violence continues throughout Mexico. International order is at risk due to pressure the DTOs exert upon the Mexican government.

As mentioned earlier, The President of the United States has indicated the situation along the Mexico US border is a “vital” interest to the United States. A “vital” interest fits below “survival” and above “important” on the intensity of interest scale.²³ If a vital interest is not realized, there will be immediate consequences for national interests. The personal security of U.S. citizens near the border is one of the key reasons for the “vital” classification this interest and a sound strategy which involves the Merida Plan. Should the strategy fail, consequences would mean the U.S. government was not able to ensure the safety and security of those citizens living near the Southwest border, which is the ultimate goal of the strategy.

Using the same scale, the interest for the Mexican government is one of “survival.” A survival interest “represents the single most important interest for any actor. This is the very essence of the actor’s existence – the protection of its citizens and their institutions from attack by enemies, both foreign and domestic.”²⁴ High intensity crime has the capability to produce more casualties than low-intensity conflict.²⁵

If violence spills across the border into the U.S. and the DTOs become entrenched in society here, the interest increases from a vital interest to one of survival for the U.S. The U.S. national government along with state governments will be forced to take action on behalf of citizens living near the border.

The State of Arizona has exercised its right to contend with the problem. In March 2010 rancher Robert Krentz was shot and killed on his property in Cochise County, Arizona. The day prior to his shooting the Border Patrol seized 290 pounds of marijuana and eight illegal immigrants in the same area.²⁶ While a concrete connection between violent crime and the drug trade has yet to be established, this incident caused a political uproar within Arizona. In addition to this murder, the number kidnappings in Phoenix have been rising with 267 reported in 2009.²⁷ The Department of Justice states that most of these kidnappings occur due to connection to smuggling activities. Despite pressure from the federal government to postpone action by the state, the Arizona Immigration Bill (SB1070) was enacted to close several loopholes and reduce illegal activity in Arizona.²⁸ The political pressure on the U.S. side of the border is increasing as illegal activity spawns more violent crime.

The Merida Initiative

Violent crime levels on the south side of the United States-Mexico border have been increasing since 2006.²⁹ In 2008, President Bush's administration developed a three-year plan with the goal of "1) disrupting organized criminal groups" and "2) institutionalizing the rule of law" in Mexico, The United States and Central America.³⁰ This plan was called the "Merida Initiative" after the city in which President Bush and Mexican President Calderon met to discuss details of the plan.³¹

The current administration has demonstrated a continued commitment to supporting our neighbor with the hope that that violence will not spill over into the United States and that the violence there can be abated to the point where it won't cause a host of other problems for the U.S. and Mexico. The recent commitment is an aid package that has contributed \$1.5 billion to the Mexican government.³² In a Consultative Group meeting in 2010, Secretary of State Hillary Clinton announced the additional goals of "3) building a 21st century border and 4) building strong and resilient communities."³³

As with any wicked problem, there are many pitfalls to the chosen strategy. Taking a deeper look into the ends, ways and means of the Merida Initiative, it may not be enough to resist the increasing momentum of violent activity that exists in Mexico.

The following initiatives are the major portions of the Merida Initiative:³⁴

- Congress has appropriated (FY08 Supp, FY09 Omnibus) \$700 million to support Mexico's security and institution building efforts under the Merida Initiative. These funds will help to improve law enforcement, crime prevention and strengthen institution building and rule of law. That money will provide:
- Increased capacity for Mexican border security efforts to help stem illegal flows in both directions across the border;
- Non-intrusive inspection technology to enhance Mexican interdiction efforts;
- Training for rule of law and judicial reform efforts;

- Information technology to enable Mexican prosecutors, law enforcement, and immigration officials to communicate securely;
- 5 helicopters to increase air mobility for the Mexican Army and Air Force, and a surveillance aircraft for the Mexican Navy.
- Support and training for implementation of Mexico's new legal system and to strengthen observance of human rights by judicial authorities and police; and
- Help for Mexican prosecutors' offices to develop an effective witness and victim protection programs.
- DoD has been and is continuing to work with its Mexican counterparts to increase information sharing, interoperability, and training and equipping of counternarcotics forces.
- The Administration is committed to working with Congress to ensure that we fully fund our commitments under the Merida Initiative.
- We are also coordinating our efforts with the Mexican government through regular high-level contact and at a working level with nine Merida Initiative working groups overseeing implementation.

There are several pitfalls where the Merida Initiative may falter. Funding for the program is a looming pitfall. In 2008, funding started at \$400 million followed by \$720 million (including supplemental) in 2009 and \$385 million in 2010. Funding for 2011 is

falling off significantly with only \$310 million slated for the Merida Initiative in the 2011 budget.³⁵ Resource constraints during an economic slowdown on both sides of the border may cause the initiative to fizzle even though large sums have already been allocated toward the problem. Without continued funding support, some efforts will be unsustainable. This will be the case with much of the aviation assets. The Blackhawk helicopters are to be purchased with Plan money, but the cost of operation and maintenance of these assets is very high. With uncertain funding in the years following 2011, a burden will be placed on the Mexican government to pay the sustainment bills. Year-by-year allocation of funding does not bode well for a long-term strategic plan. The annual budget process is an impediment to a strategic plan that may require a decade or more to have a lasting outcome. Funding levels for the Merida initiative will show the United States government's level of commitment to the plan. Short funding will appear as small commitment to the Mexican government and people on both sides of the border.

Another area of concern is that specific programs within the Mexican government may not produce the expected payoff and may even add to the violence. One facet of the Merida Plan is to train the Mexican military to suppress the violence. It has been shown that several of the purveyors of violence in Mexico are former Mexican military personnel, especially special operations forces.³⁶ The unintended consequence of training the enemy is an action that is very counterproductive to the aims of the strategic policy and a facet that bears very close scrutiny. The Leahy Amendment and other methods of congressional oversight may be helpful to curb any transgressions in this matter, but the risk is still present. The Mexican government will need to scrutinize the

trainees to ensure those members of the Mexican military that receive training continue to stay on the side of the government.

The relatively long timeline for the U.S. government to act may also hinder efforts to control violence and crime at the southwest border. Congressional session schedules, elections, and other facets of the political process take up time. The government is often forced into reactionary measures instead of proactive measures. Dark networks are habitually good at adaptation.³⁷ With slow planning to action cycles, the dark networks on both sides of the border can stay ahead of efforts to curb their activities. The nine separate U.S. government working groups involved with implementation will also add delays to any initiative that requires cross-working group coordination. The bureaucratic lag time will impede implementation of the Merida Plan in an effective manner.

The U.S. relationship with Mexico has been strained at times. This has led to an environment where teamwork is not readily apparent in many cross-border agencies. The difficulty of working with Mexican authorities can be observed by the results of the Bureau of Alcohol, Tobacco and Firearms (BATF) Project Gunrunner. This project was designed to trace weapons used in crimes in Mexico and trace the origins back to the United States in an effort to identify and prosecute those trafficking weapons across the border. It was found in the 2 years since implementation that data from only 25% of the weapons seized in drug-related arrests is passed to the BATF by Mexican authorities.³⁸ Arrests for illegal transfers and trafficking of weapons are higher, but the flow of illegal weapons could be greatly slowed if the data from all the weapons seized by Mexican

authorities was passed to the BATF. Action could then be taken on the U.S. side of the border.

In the near future, we can expect to see military budgets shrinking. Even with a force reduction in Iraq and Afghanistan expected, there will be fewer personnel and resources available for tasking to support operations along the Southwest border area. National Guard and Reserve units have been called for active duty to support operations overseas and will be expecting time to refit and reconstitute their forces. Even if some units are available, it is unlikely that the Border States will be able to pay for the deployment of troops without federal assistance.

Along with the aforementioned pitfalls, the absence of qualitative elements will make it hard for the Administration and interagency partners to gauge the success of the elements of the strategy. Definitions of spillover violence are not codified.³⁹ Amounts of drugs or weapons seized could be a metric used to determine success of an operation, but large numbers in those categories could also mean that the situation is getting worse in the border area. High levels of violence can either mean the DTOs have the upper hand or that the DTOs are on a downfall and fighting the government for control of an area. Violence against the government in an area may mean that the government officials are not subject to bribery. It also could mean that the government officials are asking too much for bribes and the DTOs want to chase them out.

The segment of the Merida Plan dealing with the "...support and training for Mexico's new legal system..." listed in the President's policy briefing is a positive step showing the comprehensiveness of the plan. The violence in several border towns of Mexico has become so prevalent that the local legal systems are on the verge of

incapacitation. Mexico faces what can be termed a criminal insurgency. The DTOs have gained enough power, backed by violence, to subjugate the local Mexican government agencies. Restoration of the legal systems and protection for the legal process will hopefully cause the public to regain confidence in the government. The effort placed on restoration of the legal systems there is one of the avenues to achieve the strategic policy objectives.

Will the Merida Plan Suffice?

The U.S. Army War College strategy model includes three components: 1) ends or objectives, 2) ways or concepts and courses of action and 3) means or resources.⁴⁰ One way to test a strategy to determine whether the strategy will have a favorable outcome is to test the strategy for feasibility, acceptability and suitability or “FAS” test. Suitability tests the ends to determine if the proposed strategy will meet its objective. Acceptability tests the courses of action or ways. Finally, the feasibility portion of the FAS test considers the resources or the means. All three of the components of strategy are necessary to make the strategy successful. A failure in any component of ends, ways, or means could mean failure for the strategy as a whole.⁴¹ Hence, it is necessary to apply the FAS test to determine risk in each of the three components. In this model, risk is the underlayment or foundation of each of the components and must be addressed in determining the likelihood of achieving the strategic objectives.⁴²

Much interagency work has been done to develop the Merida Plan. The feasibility of the plan appears to have been well designed. The U.S. government has the resources to commit to the comprehensive interagency plan as it is written. The large hurdle with regard to acceptability is the support of the Mexican government and its agencies, which was garnered for the plan. There is inherent risk when dealing with

a sovereign government. That government can change its stance on the issue and derail a plan almost immediately. The third component of the strategy triad is suitability, or, will it achieve the objectives? This is arguably the hardest part of the strategy to quantify because it requires assumptions about the elements of the plan and the capabilities of the DTOs. The suitability of the Merida Plan to reach the strategic objectives contains a large amount of risk with regard to the assumptions. The DTOs appear to be so entrenched in the society without any counterbalance of power. For the Merida Plan to be successful in reaching the “ends,” more manpower is needed across the agencies involved. The intensity of the crime across the border demands a larger footprint not just to stop the violence, but to rebuild the structures of the local and regional Mexican government that have been damaged by the actions of the DTOs. Intelligence is key to disrupting dark networks. Other than a surveillance aircraft, little is mentioned in the plan about intelligence requirements across the interagency spectrum.

On the positive side, interagency and intergovernmental cooperation has begun. This cooperation has opened the avenues in which the elements of national power can be applied. Secretary of State Hillary Clinton visited Mexico in January 2011, meeting with both Foreign Minister Patricia Espinosa and President Felipe Calderon. She “...vowed continued U.S. support through equipment and training for Mexican law enforcement, and by targeting the southbound flow of arms and money into Mexico.”⁴³ The fact that she has traveled to Mexico to specifically discuss initiatives shows the importance the administration is placing on the subject.

This intergovernmental cooperation will pay dividends in the future. But the depth and breadth of the DTOs’ power is immense and will grow over time if significant

pressure is not applied at critical nodes at the right time. The Merida Plan will apply pressure but more is needed. Teamwork and personal relationships with the Mexican authorities will be essential to combat what has become large-scale violence and lawlessness. Risk is inherent in many facets of the problem. In the case of a vital interest, the U.S. may not wish to accept even more risk by not doing enough.

If the Merida Initiative Does Not Work

In addition to operations in Mexico, much is also happening on the northern side of the border. In May 2010 President Obama ordered 1,200 soldiers to deploy to the border region to augment law enforcement efforts.⁴⁴ There is a high level of support for military deployment along the border to ensure the safety of U.S. citizens. Customs and Border Protection has doubled the number of agents since 2004, which currently stands at over 20,000.⁴⁵ These personnel have been vital in keeping the level of violence on the U.S. side of the border lower than on the Mexican side.

Integration of government agencies will be critical in any crisis response along the southwest border. Recently, U.S. Customs and Border Protection Commissioner Alan Bersin met with NORTHCOM Commander Admiral James Winnefield, Jr. to discuss “ways to effectively deter, disrupt, and interdict transnational threats.”⁴⁶ This cooperation is a step in the right direction to meet objectives of the National Security Strategy.

Should a large-scale problem erupt in Mexico, the United States would find itself severely lacking infrastructure along the border region to deal with problems such as a mass migration. The Army maintains large facilities at Fort Bliss in El Paso, Texas and a smaller base at Fort Huachuca in Southern Arizona. Naval and Marine Corps facilities are established in and around San Diego and El Centro, California but most of the

facilities are away from the border by several miles and across dense urban areas. The Air Force and Marine Corps have bases in Tucson and Yuma, Arizona, respectively. All of these bases mentioned could accept a surge of military personnel responding to a crisis, but none of them have resources to respond to mass movements of people.

To prepare for such an event, United States Northern Command along with the Department of Homeland Security (DHS) should establish operational sites on the United States side of the border opposite Mexican population centers. These sites would allow use by DHS agencies such as Customs and Border Patrol on a routine basis and military forces in times of crisis.

The demand for illegal drugs is high in the United States. Much of the money paid for drugs is funneled back to Mexico. Citizens of the United States are effectively funding the violence in Mexico. The Drug Enforcement Agency (DEA) should be resourced to increase drug interdiction and demand reduction operations inside the United States. This would decrease the amount of money reaching the DTOs in Mexico.

Counterdrug efforts in Colombia, once near the brink of becoming a failed state, are now being called a success. Some lessons learned specified in the National Drug Control Strategy include:

Government-Wide Approach. Eradication can be an effective deterrent to illicit cultivation and provides a great incentive to move to licit crops, but it must be accompanied by government presence and alternative development to preclude replanting and/or dispersal of plots, and it must focus on rule of law and human rights, humanitarian needs, and social and economic reform.

And:

Security. Security is a precondition for successful expansion of social services and developmental assistance. Security must be maintained to

allow the expansion of legal economic activities and the delivery of civilian services, including justice, education, and health, to a population not accustomed to a significant government presence.⁴⁷

Reestablishing the rule of law in areas controlled by the DTOs will not be easy, but it is a necessary precursor to regain power and shrink the operational base of the DTOs.

Conclusion

Violence and crime in Mexico has permeated the government and other social structures. Violence linked to illicit trade is occurring on the U.S. side of the border. The outward manifestation of the problem is violence, but the problem contains many more complex elements such as economic ties, human rights and border security.

The governments of the U.S. and Mexico have recognized the need for a combined strategy to reach the goal of decreasing violent crime, reducing the flow of illegal narcotics and reestablishing the influence of the Mexican government in areas where it has been displaced by the DTOs. This strategy is outlined in the Merida initiative and the United States' 2010 National drug control Strategy.

The Merida initiative is opening doors for cooperation between the United States, Mexico and other Central American nations. Security of the people should be the first goal of the Merida Initiative. Security of the people will enable the rebuilding of governmental and social institutions that are critical to reducing the influence of the DTOs. The hypercompetitive illegal market embedded in the society will require a non-traditional whole of government solution. Profits from narcotics distribution has become a large part of the economy in Mexico, however, and programs will need to be emplaced that can make up some of the lost revenue from drugs.

The U.S. must also do its part on the northern side of the border. The demand for illicit drugs in the U.S. results in a huge amount of currency going into the DTO's

hands and is the source of much of their power. Risk in either the ends, ways or means of the strategy will have dire consequences for Mexico, but possibly the same for the U.S. A failure of the strategy will require a much larger response from the U.S. if the violence seen in Mexico begins to occur with the same regularity in the U.S.

Interagency involvement and cooperation will be critical in execution of the strategy.

The U.S. would also be sensible in building infrastructure near the border in the event that localized failures occur. The infrastructure would allow fast response to various forms of crises.

The Federal Government in the U.S. has been relatively slow to engage in the problem at the level desired by some of the population. The Border States are moving forward with legislation and filling the gap. It is time for the federal government to commit to its strategy and execute the Merida Initiative and assist Mexico in its efforts.

Endnotes

¹ Barack Obama, *National Security Strategy*, (Washington, D.C.: Office of The President of the United States, May 2010), 42.

² Matthew Harwood, "Ciudad Juarez Reaches Morbid Milestone: 3,000 Murders in 2010," December 15, 2010, *available at* <http://www.securitymanagement.com/news/ciudad-juarez-reaches-morbid-milestone-3000-murders-2010-007967>

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